

January 31, 2003

February 3, 2003

VIA FACSIMILE AND U.S. MAIL - (609) 452-9865

James W. Lovett, Esq.
Corporate Vice President
General Counsel and Secretary
Covance, Inc.
210 Carnegie Center
Princeton, NJ 08540-6233

Re: Susan Miles, et al. v. Philip Morris USA Inc.

Dear Mr. Lovett:

On January 27, 2003, we informed you that an Illinois court issued an order against Philip Morris USA Inc. prohibiting and enjoining any investigation or study of any member of the plaintiff class in the Susan Miles, et al. v. Philip Morris USA Inc. case. At a subsequent hearing, the court withdrew the injunction. As a consequence, there are no longer any court-ordered restrictions concerning the analysis of data that already have been collected. It is now permissible to analyze any existing data that were previously collected, including data that were previously collected from individuals who have now been identified as possible Miles class members collected. [The self-imposed study restrictions on PM USA access to information that would allow identification of individual study participants remain in full force and effect.]

Even though the injunction has been withdrawn, and even though we do not believe there is any applicable legal obligation, Philip Morris USA has voluntarily agreed, on a going-forward basis, volunteered to continue screening Miles class members out of the study until the trial is over. Based upon its current understanding, Philip Morris USA has study represented to the court that continuing the screening for Miles class members for a short period will not interfere with the Exposure Study. **Thus, until further notice, all of the screening criteria and procedures set forth in our January 27, 2003 letter to you must be followed and are to remain in full force and effect.** In other words, until further notice, Miles

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class members are to be excluded from the study, and all communications with them are to be discontinued, immediately at the time they are identified as Miles class members.

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We do not believe that there is any legal prohibition arising out of Miles ~~that relates to any aspect of the Exposure Study presents, or has presented, actual or threatened~~ prejudice to Miles class members or their asserted claims. ~~Study.~~ We also are very concerned that any longer and/or more extensive screening process or limitations on study participants may jeopardize the study. If the court issues any new orders, we will advise you promptly. In the meantime, if you have any ~~questions of questions,~~ or if you wish to discuss the matter, please contact me at the number listed above, or Paula Desel at (804) 274-2456 in Richmond or (917) 663-3203 in New York.

Sincerely,

PM3006633183